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10/607,363	06/26/2003	Santosh Savekar	14680US02	6108

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EXAMINER
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ART UNIT	PAPER NUMBER
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *19 April 2007*.

2a) ☒ This action is FINAL.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *7, 8, 10, 11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *7, 8, 10, 11* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is response to the amendment filed 19 April 2007.

2.   Claim 7 has been amended.

3.   Claims 1-6, 9, and 12-17 have been cancelled by the Applicant.

4.   The rejection of Claims 1-2, 4-8, 10-11, 13-14, and 16-17 under 35 U.S.C. 112,

first paragraph has been withdrawn necessitated by the amendment. The rejection of

Claims 1-2, 4-8, 10-11, 13-14, and 16-17 under 35 U.S.C. 103(a) as being unpatentable

over King et al (US Patent 5,600,775; 2/4/1997) in further view of Wallace et al

(USPGPub 2002/0208112; filed 2/2/2001) in further view of Fitzpatrick et al (US Patent

#5,319,382) has been withdrawn necessitated by the amendment.

5.   Claim 7, 8, and 10-11 are pending. Claim 7 is an independent claim.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 7, 8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being

unpatentable over King et al (US Patent 5,600,775; 2/4/1997) in further view of Wallace

et al (USPGPub 2002/0208112; filed 2/2/2001).

        As per independent Claim 7, King et al discloses a decoder for annotating a

frame, said decoder comprising:

- memory for storing a data structure, the data structure comprising a compressed representation of a first frame and at least one parameter; (FIG 1, block 14)

- creating a graphic, said graphic display the at least one parameter (Column 2, lines 49-51: King et al discloses created annotations that include free-hand bitmap drawings (graphics). In addition, Applicant discloses the graphic displays at least one parameter. In the specification, Applicant disclose a parameter that consists of decode time or presentation time. Thus, the graphic displays time information. King et al discloses that such video frames are indexed by frame number and uses the example, QuickTime, having its index as a video time parameter. (Col 6, lines 35-42; FIG 2, 3)

- frame buffer for storing a second frame, the second frame comprising the first frame and the graphic. (Column 6, lines 51- Column 7, line 11; FIG 1, block 12).

However, King fails to specifically disclose a decompression engine for decompressing the compressed representation of the first frame. However, Wallace et al discloses a process of generating annotations wherein data frames that are compressed are then subsequently decompressed based on MPEG standard in paragraph 0026. In addition, since Wallace disclose the functionality for decompressing the compressed frame, it is inherent that Wallace contains a decompression engine.

It would have been obvious to one of the ordinary skill in the art at the time of the Applicant's invention to modify King et al's annotation method by including therein data

compression and decompression means with full motion digital video frames. One of

the ordinary skill in the art at the time of the Applicant's invention would have known that

full motion digital video frames can be compressed for optimizing cost and use of less

hardware; therefore, would have used Wallace et al's process prior to using King et al's

annotation method.

As per dependent claim 8, King et al further discloses a display controller (FIG 1,

block 12) that "drives a monitor displaying a graphic user interface" (Column 4, lines 5-

9) which inherently contains the scaling capability of a frame based on the rejection of

claim 2.

As per dependent Claim 10, King et al fails to disclose that the graphic is

selected from a group consisting of a header, a footer, and a margin. However, Wallace

et al discloses, e.g. Figure 3 and 4 and paragraph 0037, that the frame includes a

header, and a footer.

It would have been obvious to one of the ordinary skill in the art at the time of the

Applicant's invention to use King et al's annotation method of with Wallace et al's

sample frame, within a data structure, that includes a header, which uniquely identifies

the frame (paragraph 0037) since it would have allowed a user to identify the position of

a header and its purpose for annotating display time or text without stealing focus of the

main intention of the frame.

As per dependent Claim 11, King et al further discloses "an annotation manager

includes resources to select in response to user input an indexed data structure to be

annotated and resources to create, in response to user input, an annotation data

structure." (Column 2, lines 64-67) King et al's statement is equivalent that a number of parameters are present and receives an indication to user input or selecting a parameter. King et al further discloses a processor is included in Figure 1, block 10, which performs the indication.

Response to Arguments

8.   Applicant's arguments with respect to claims 7,8, 10, and 11 have been considered but are moot in view of the new ground(s) of rejection.

Arguments address regarding of the new limitations of Claims 1, 20, and 28 brought forth in the amendment of a decoder for annotating a frame, said decoder comprising memory for storing a data structure, the data structure comprising a compressed representation of a first frame and at least one parameter; a decompression engine for decompressing the compressed representation of the first frame and creating a graphic, said graphic displaying the at least one parameter; and a frame buffer for storing a second frame, the second frame comprising the first frame and the graphic has been viewed the new ground of rejection of 35 USC 103(a) under new references using King et al in further view of Wallace et al.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to David Faber whose telephone number is 571-272-2751.

The examiner can normally be reached on M-F from 8am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong, can be reached on 571-272-4124. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

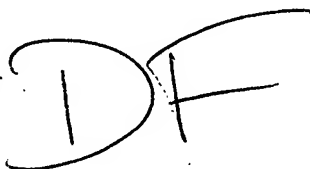For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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